

# MICHAEL MARR

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## PRESENT OCCUPATION

Attorney, Arbitrator, and Mediator

## PROFESSIONAL AFFILIATION

Washington State Bar Association (1979)

Hawaii State Bar Association (1980)

State of Washington Supreme Court

State of Hawaii Supreme Court

United States Supreme Court

United States 9th Circuit Court of Appeals

United States District Court of Hawaii

United States District Court of Western Washington

Secretary and Trustee, State of Hawaii Supreme Court Lawyers' Client Protection Fund

Member, State of Hawaii Supreme Court Commission on Professionalism

Volunteer Appeals Court Judge, University of Hawaii Mock Court Program

Volunteer Trial Judge for the annual State of Hawaii Mock Trial Program

Volunteer speaker for the State of Hawaii Judiciary Speakers Program

## EDUCATION

1975 University of Washington Phi Beta Kappa BA

1978 University of San Francisco School of Law Three Scholarships JD

## ARBITRATION EXPERIENCE

I started my ADR practice in 1980. I preside over arbitration hearings with integrity, impartiality, fairness and a complete lack of arrogance. It is important to me that counsel and the parties believe they have received a fair arbitration hearing, that the hearing was conducted with politeness, patience, compassion, and attentiveness, and that the decision and award was well-reasoned and based upon established law.

I have been mutually selected by several agencies of the United States of America and the State and/or county governments of Hawaii, Alaska, Washington, Oregon, California, Colorado, and Nevada. Unions have included those representing employees in federal, public, and private sector matters. I've also provided services in Montana, Texas, and Arizona. In a nutshell, I am learned in federal, public, and private sector matters (both grievance and interest arbitration).

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## **ARBITRATION EXPERIENCE**

### **INDUSTRIES**

Federal, public and private sectors including the United States military (navy, army, and air force), transportation, trucking and storage, public utilities, aerospace, automotive, bakery, banking, broadcasting, education, communications, construction, food (manu./proc./service), energy and nuclear power, entertainment/arts, hotels/motels/casinos/resorts, hospitals and medical profession, architecture, machinery, oil, gas, and petrochemicals, police and fire, prison guard, office workers/clerical, printing and publishing, real estate, shipbuilding/dry docks, warehousing and restaurants.

### **ISSUES**

Interest arbitration. Also, jurisdiction, arbitrability (procedural and substantive), grievance procedures, conduct (off-duty)/personnel, demotion, employee discipline (discharge and non-discharge), discrimination (age, race, disability, sex, and union affiliation), drug/alcohol offenses, collective bargaining, contract interpretation, lay-offs/bumping/recall, past practices, subcontracting/contracting out, haring practices, work conditions and safety, work orders, job performance, seniority/tenure/reappointment, harassment, violence/threats, management rights, unilateral action, complex discovery motions and motions for summary disposition.

### **PERMANENT PANELS**

State of Hawaii/United Public Workers  
State of Hawaii/Hawaii Government Employees Association  
Counties of Honolulu, Maui, Kauai, and Hawaii/United Public Workers  
Counties of Honolulu, Maui, Kauai, and Hawaii/Hawaii Government Employees Association  
Kuakini Hospital/Hawaii Nurses Association  
Oahu Transit Services, Inc./Hawaii Teamsters and Allied Workers, Local 996  
State of Alaska/International Organization of Masters, Mates, and Pilots.

### **ARBITRATION ROSTER(S)**

United States District Court of Hawaii Mediation Panel  
Federal Mediation and Conciliation Service  
Hawaii Labor Relations Board  
Dispute Prevention Resolution, Inc. (Hawaii)  
Washington State Public Employees Relations Commission  
Oregon Public Employees Relations Commission  
California State Mediation & Conciliation Service  
City of Los Angeles Employee Relations Board  
Montana Employment Relations Division  
Maine Labor Relations Commission  
Nebraska Employee Relations Board  
Nevada Employee Relations Board  
Maine Labor Relations Commission  
Michigan Employment Relations Commission  
National Association of Security Dealers  
National Arbitration Forum  
Virgin Islands Public Employees Relations Board

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## **PUBLISHED CASES**

None. I have never attempted to have a case published as I believe that ADR matters should be kept confidential. However, with the consent of the parties, I do have some writing samples available upon request.

## **SIGNIFICANT PUBLICATIONS**

Former editor and primary writer for the Hawaii Labor and Employment Law Alert ("HLELA"). The HLELA was a pro bono community service project that was published quarterly (4 times a year) and alerted attorneys and neutral service providers of decision and opinions issued by the United States Supreme Court, the 9th Circuit Court of Appeals, the State of Hawaii Supreme Court, the Hawaii Intermediate Court of Appeals, the Hawaii Labor Relations Board, the National Labor Relations Board, and the Federal Labor Relations Authority.

## **PER DIEM FEE**

\$1,200 per day for hearing, research, and preparation. Time is prorated.

## **DOCKET FEE**

None.

## **CANCEL FEE**

Please see cancellation policy below.

## **GRIEVANCE ARBITRATION**

\$1,200 per day for hearing, research, and preparation.

## **CANCELLATION POLICY**

If the scheduled hearing is cancelled with at least 30 calendar days notice there is no cancellation fee. If the scheduled hearing is cancelled with less than 30 days notice, one-half of the per diem for each scheduled hearing day, but only if a replacement arbitration or mediation cannot be scheduled on the cancelled day(s). Still, using equity as a guide, the Arbitrator retains the sole discretion to waive a cancellation fee.

## **INT ARBT, FACT FND & LABOR MED**

Interest arbitration, fact-finding, and mediation fees are charged at \$1,200 per day. Time is prorated.

## **TRAVEL TIME**

Arbitrator charges per diem fee, prorated, not to exceed 8 hours per day.

## **EXPENSES**

Arbitrator charges actual cost of reasonable expenses such as airfare, car rental, hotel room and taxi. Arbitrator does not charge for food and meals.